THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.23253 OF 2005

DATED: 03-11-005

BETWEEN:

A.Narasimha Reddy and another .. Petitioners

And

The Govt. of A.P. Rep.by its Secretary

Revenue Department and others .. Respondents

THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.23253 OF 2005

ORDER:

Petitioners claim to be the owners of land in an extent of Ac.6.35 guntas, in Survey Nos.5, 22/A, 103, 105, 106 and 107, which is an agricultural land, situated at Konagara Khurd village, Maheswaram Mandal, Ranga Reddy District under a registered Sale Deeds dated June, 2003. When the petitioners wanted to sell the said property and presented the document, the 2nd respondent refused to entertain the said document, on the ground that the land in question,

which is sought to be sold, cannot be registered in view of a complaint given by Dargha Hazarath Syed Shah Raju Hussaini Saini, alleging that the lands situated in Kongara Khurd Village are the INAM lands of the said Dargha. In view of the same, the present writ petition is filed.

Learned Government Pleader submits that there is no notification issued by the Government of Andhra Pradesh under Section 22–A(1) of the Registration Act, 1908, prohibiting the registration of the documents in respect of the Survey Nos. 5, 22/A, 103, 105, 106 and 107 , in the said village. On issuance of such notification, the 2nd respondent can refuse to receive the document for registration, but not as otherwise.

In view of the same, the 2nd respondent is hereby directed to receive the document and register the same, as and when, the petitioners presented the same for registration, and for any reason, if the document cannot be registered, he has to pass appropriate orders and communicate the same to the petitioners within two weeks from the date of presentation of the said document.

Accordingly, the writ petition is disposed of at the stage of admission. No costs.

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03-11-2005

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Note: Issue CC in 3 days.